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September 19, 2006

Mary L. Cottrell, Secretary  
Department of Telecommunications and Energy  
One South Station, 2<sup>nd</sup> Floor  
Boston, Massachusetts 02110

Re: Investigation of Rates to be Charged by the Massachusetts Turnpike Authority for  
Wireless Providers, D.T.E. 06-70

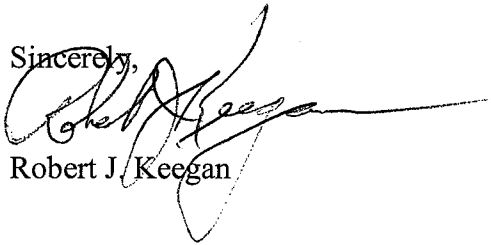
Dear Ms. Cottrell:

Enclosed is the First Set of Information Requests to the Massachusetts Turnpike Authority from the Joint Carriers in the above-referenced proceeding. For the purposes of this filing, please note that the "Joint Carriers" are Bell Atlantic of Massachusetts Corporation, Ltd. d/b/a Verizon Wireless, New Cingular Wireless PCS, LLC and Sprint Spectrum L.P. and Nextel Communications of the Mid-Atlantic, Inc.

Please do not hesitate to contact me if you have any questions or if I can provide you with any additional information.

Thank you very much for your attention to this matter.

Sincerely,

  
Robert J. Keegan

Enclosure

cc: Service List

**COMMONWEALTH OF MASSACHUSETTS**  
**DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

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Investigation by the Department of Telecommunications	)	
and Energy on its own motion pursuant to Chapter 123 of	)	
the Acts of 2006, § 115, to establish the maximum rates	)	D.T.E. 06-70
and fees to be charged by the Massachusetts Turnpike	)	
Authority to wireless providers for the placement and	)	
use of wireless attachments in the central artery tunnels	)	
<hr/>	)	

**FIRST SET OF INFORMATION REQUESTS TO THE  
MASSACHUSETTS TURNPIKE AUTHORITY  
FROM THE JOINT CARRIERS**

Pursuant to the scheduling order issued on August 30, 2006, and as specifically requested by the Hearing Officer for joint submissions where possible, the undersigned Intervenors (the “Joint Carriers, or “JC”) jointly request that the Massachusetts Turnpike Authority (“MTA”) provide the following information within five (5) business days.

**DEFINITIONS**

As used herein, the term “MTA” or “Authority” shall mean the Massachusetts Turnpike Authority established by section 1 of chapter 81A of the General Laws.

As used herein, the term “MTA’s Proposal” or “Authority’s Proposal” shall mean the Proposal submitted by MTA to the Department of Telecommunications and Energy (the “Department”) on September 13, 2006, in D.T.E. 06-70 to establish the rates and fees to be charged for wireless attachments in the tunnels of the central artery.

As used herein, the term “Central Artery” shall be as defined in section 3 of chapter 81A of the General Laws.

As used herein, the term “usable space” shall mean the total space that would be available for wireless attachments, without regard to attachments previously made, within the tunnels of the central artery project.

As used herein, the term “wireless attachment” shall mean any device, apparatus, appliance or equipment used or useful in providing wireless communications services, including any associated wire or cable, used in the provision of a commercial wireless communications system.

As used herein, the term “wireless provider” shall mean any person, firm or corporation that provides commercial wireless communication services.

As used herein, the term “Central Artery Tunnels” shall mean and include the Central Artery Tunnels at issue in D.T.E. 06-70, and the tunnels’ respective on ramps and off ramps.

As used herein, the term “System” shall mean any system proposed by the MTA for an “effective and seamless state-of-the-art wireless communications system in the Central Artery tunnels owned or controlled by the authority” as referenced in Section 115 of Chapter 123 of the Acts of 2006, including without limitation any “Neutral Host System” or other wireless provider-neutral shared antenna wireless telephone communications system for providing wireless telephone service within the Central Artery Tunnels.

As used herein, the term “RFP” shall mean any Requests for Proposals, Invitation to Bid, or other Request or Invitation for competitive proposals or bids issued by or on behalf of the MTA with respect to the subject matter identified in the particular request in which the term is used.

As used herein, the term, “identify” means:

- a. when applied to documents, to give, to the extent known, the (1) type of document; (2) general subject matter; (3) date of the document and (4) author(s), addressee(s), and recipient(s);
- b. when applied to an entity or individual, to give (1) the full name, (2) present or last known address and, (3) when referring to a natural person, the present or last known place of employment.

As used herein, the term “person” is defined as any natural person or any business, legal or governmental or quasi-governmental entity, authority or association.

For purposes of these information requests, the term “document” is defined to be synonymous in meaning and equal in scope to the usage of this term in Mass. R. Civ. P. 34. A draft or non-identical copy is a separate document within the meaning of this term. Documents may be in tangible, electronic or any other form falling within said Rule 34.

As used herein, the terms “communication,” “concerning,” and “state the basis” shall have the same meanings as provided in U.S. District Court (Mass.) Local Rule 26.5, which meanings are hereby incorporated by reference.

## **INFORMATION REQUESTS**

### **The System**

- JC-1-1 Please provide all architectural and engineering documents depicting the design of the MTA’s proposed System.
- JC-1-2 Please provide all architectural and engineering documents depicting the construction of the MTA’s proposed System.
- JC-1-3 Please provide all documents depicting the plan for operation and maintenance of the MTA’s proposed System.
- JC-1-4 Please identify all persons who have to date participated in the design, construction, operation and/or maintenance of the System and describe the person’s contribution thereto.

## **The Vendor RFP**

- JC-1-5 Referring to page 3 of the Authority's proposal, please provide a copy of the RFP issued by the Authority on July 10, 2002 (the "Vendor RFP").
- JC-1-6 Please provide a detailed listing of the vendors to which the Vendor RFP was provided, including company name, address and designated company representative to which the proposal was submitted.
- JC-1-7 Please provide a complete copy of each response received by the Authority in response to the Vendor RFP, including all documents submitted by each respondent in support of its bid. Provide a complete copy of any materials submitted by each respondent vendor subsequent to its initial response, including any updated cost or budget estimates or System modifications.
- JC-1-8 Provide a copy of any documents issued by the Authority or submitted by a respondent vendor subsequent to the submission of the initial bids and prior to the final selection of Maverick/Mikom as the Selected Vendor.
- JC-1-9 Please provide a detailed description of the timeline and process followed by the MTA in soliciting bids from prospective vendors. Please list and describe all selection criteria and associated weightings used by the Authority to evaluate the bids.
- JC-1-10 Please list the date, time and place of any meetings held by the Authority and any vendor responding to the Vendor RFP to discuss or negotiate the elements of its response. Provide all documents prepared in anticipation of these meetings, used during the meetings or prepared following the meeting that summarize or describe the results of the meeting.
- JC-1-11 Please provide any and all documents concerning the evaluation of the proposals submitted in response to the Vendor RFP and the designation of Maverick/Mikom as the successful vendor. Please describe how the criteria provided in response to Information Requests JC-1-9 were applied to the Maverick/Mikom proposal and state how that proposal was determined to be superior to the other bids submitted as a result of the RFP process. Please identify by name and title all persons responsible for evaluating the vendor's proposal.
- JC-1-12 Please provide any executed contracts with respect to the proposed design, construction, operations and/or maintenance of the System.
- JC-1-13 Please specify whether the Maverick/Mikom proposal included any carrier drive test data. If so, please provide any and all documents concerning the carrier drive test data.

- JC-1-14 Please specify whether the Maverick/Mikom proposal included any acceptance criteria for the commissioning and acceptance of the construction upon completion of construction. If so, please provide any and all documents concerning the acceptance criteria.
- JC-1-15 Please provide any and all documents concerning Maverick Construction and Mikom in terms of their respective experience in constructing, operating and maintaining a carrier-neutral shared antenna wireless telephone communications system.

### **The Carrier RFP**

- JC-1-16 Please state whether any contracts, memoranda of understanding (“MOU”), or letters of intent have been executed with any wireless providers for locating wireless attachments on the proposed System? If so, identify each such wireless provider, identify each such contract, MOU or letter of intent, and provide a copy of same.
- JC-1-17 Referring to page 3 of the Authority’s Proposal, please provide a copy of the Carrier RFP issued on January 30, 2003 (the “Carrier RFP”).
- JC-1-18 Please provide a detailed listing of the carriers to which the Carrier RFP was provided, including company name, address and designated company representative to which the proposal was submitted.
- JC-1-19 Please provide a complete copy of each response received by the Authority in response to the Carrier RFP, including all documents submitted by each respondent in support of their bid. Provide a copy of any materials submitted by the respondent carriers subsequent to their initial response, including any updated cost or budget estimates or System modifications.
- JC-1-20 Please itemize and describe all payments received to date by the Authority from all vendors responding to the Vendor RFP.
- JC-1-21 Please itemize and describe all payments received to date by the Authority from all carriers responding to the Carrier RFP.

### **Conduit and Outdoor Space**

- JC-1-22 Does the Authority envision that the wireless communications System to be installed in the Seaport Access Road as Phase I of the CA/T Wireless Project will be installed in conduit? If so, what is the length of conduit that MTA proposes to use and is it already installed? Provide As Built drawings depicting all conduits installed within the Seaport Access Road.
- JC-1-23 Please identify and discuss the alternatives to installation of the wireless antenna System in existing conduit in the Central Artery Tunnels.

- JC-1-24 With respect to Exhibit A to the MTA's Proposal entitled "Description of Useable Space," please provide the following information:
- a. Identify each person who participated in the preparation of Exhibit A.
  - b. State when it was prepared.
  - c. State whether "two (2) spare 3-inch communications conduits" were installed within the roadway and major ramps of the Northbound Artery as described on page 8 of Exhibit A; provide As Built drawings depicting any such conduits installed therein.
  - d. State whether "one (1) spare 3-inch communications conduit" was installed within the minor ramps of the Northbound Artery as described on page 8 of Exhibit A; provide As Built drawings depicting any such conduits installed therein.
  - e. State whether "two (2) spare 3-inch communications conduits" were installed within the roadway and major ramps of the Southbound Artery as described on page 10 of Exhibit A; provide As Built drawings depicting any such conduits installed therein.
  - f. State whether "one (1) spare 3-inch communications conduit" was installed within the minor ramps of the Southbound Artery as described on page 10 of Exhibit A; provide As Built drawings depicting any such conduits installed therein.
  - g. Provide As Built drawings depicting any other communications conduits installed within the roadway, the major ramps and/or the minor of the Northbound and/or Southbound Artery.
- JC-1-25 Identify all areas within the MTA's right-of-way considered appropriate by the MTA for any wireless provider to locate outdoor equipment enclosures as referenced on pages 9 and 11 of Exhibit A and state the current or anticipated future use of those areas.
- JC-1-26 Please describe the primary function of the two (2) spare 3-inch conduits and one (1) spare 3-inch conduit located in the Northbound Artery (Phase II) and Southbound Artery (Phase III), as referenced in Exhibit A of the Authority's Proposal. Please list and describe all possible uses for this conduit. Provide any and all documents discussing or concerning the planned or actual use of space within those conduits.
- JC-1-27 Please identify and discuss the planned uses of all conduit referenced in Exhibit A as of the time the conduit was designed and installed. Provide all documents discussing or concerning the planned use for the conduit listed in Exhibit A at the time of design and/or installation.
- JC-1-28 Please identify the timeframe and dates when the conduit system referenced in Exhibit A of the Authority's Proposal was planned and constructed.

- JC-1-29 Identify any and all facilities currently located within the two (2) spare 3-inch conduits and one (1) spare 3-inch conduit located in the Northbound Artery (Phase II) and Southbound Artery (Phase III), as referenced in Exhibit A of the Authority's Proposal.
- JC-1-30 Please provide all work papers and supporting documents relied upon by the Authority in developing its estimate of direct costs of material, labor and production-hour assumptions contained in Exhibit B-1 of the Authority's Proposal. Identify by name and title each person who participated in the preparation of Exhibit B-1.
- JC-1-31 Referring to Exhibit B-1, provide the actual per-unit materials price of the conduit in which the Authority anticipates the wireless antenna fiber will be installed (as compared to the per-unit materials replacement cost listed as \$39.67/ft in Exhibit B-1). Provide all documents including invoices demonstrating the actual cost of the conduit materials.
- JC-1-32 Referring to Exhibit B-1, provide the actual per-unit materials cost of the 32x12x8 pull boxes that would be used to install the fiber antenna system in the spare conduit (as compared to the per-unit materials replacement cost listed as \$4,972.00 in Exhibit B-1). Please list and describe any and all other facilities that are installed through these same pull boxes. Provide all documents including invoices demonstrating the actual cost of the pull-boxes.

### **Vent Building, Utility Rooms**

- JC-1-33 Identify by name and title each person who participated in the preparation of Exhibit B-2.
- JC-1-34 In Exhibit B-2 of the Authority's Proposal, the square-foot construction cost of Vent Building 6 is stated as \$225.00. Provide the dates that construction on Vent Building 6 was commenced and completed. Also, provide a detailed listing and cost quantification of the building materials and equipment resulting in the \$225.00 calculation. Provide all work papers and documents supporting the calculation.
- JC-1-35 Please provide an As Built plan of Vent Building 6 and a diagram of the footprint of all floors of Vent Building 6, including the dimensions of the building and all equipment currently located therein. Please identify the nature and purpose of equipment currently located therein. Please identify the 2,264 available square feet referenced in Exhibit B-2.
- JC-1-36 Please describe the primary function of Vent Building 6. Provide any and all documents discussing or concerning the use of space within Vent Building 6.



- JC-1-37 In Exhibit B-2 of the Authority's proposal, the square-foot construction cost of the Central Artery Tunnels is stated as \$4,121.00. Please provide the actual calculation of the per-square-foot cost. Provide all work papers and documents supporting this calculation.
- JC-1-38 For each of the 28 utility rooms referenced in Exhibit B-2, please provide the following: (1) a description of the primary function of the room; (2) the date that construction on the room was commenced and completed; (3) a list of the specific equipment components associated with the wireless communications System that will be located in the room; (4) a detailed description of any other equipment that is or will be located in the room, including a statement as to the purpose of that equipment; and (5) a diagram of the footprint of each room, including the room dimensions and the dimensions of all equipment that is or will be located therein.
- JC-1-39 Please provide any and all documents discussing or concerning the use of space within the 28 utility rooms.

#### **MTA Costs**

- JC-1-40 Referring to Exhibit B-2, provide a copy of all invoices paid to outside consultants totaling \$47,416.11. For each consultant paid, provide a brief description of the services provided and the work performed for the Authority.
- JC-1-41 Referring to Exhibit B-2, provide a detailed breakdown of the consultants and services that compose the estimate of additional fees of \$197,819. Provide all documents, invoices, calculations and supporting work papers used in developing the projected fees of \$197,819.00.
- JC-1-42 In Exhibit B-2 of the Authority's proposal, the Authority has projected that completion of the CA/T Wireless Project will require staff time for future activities totaling 2,060 hours at an average hourly rate of \$100.00 (for a total cost of \$206,000). Please provide all documents, invoices, calculations and supporting work papers used to develop this estimate. List the individuals who will be performing these services. For each individual listed, please provide the individual's (1) position and job description; and (2) hourly wage, salary or compensation.
- JC-1-43 Referring to the first paragraph of page 5 of the Authority's proposal, provide all documents or analysis forming the basis for the Authority's 10% cost recovery rate on the Total Cost, including any and all documents concerning the Authority's "long term borrowing costs, administration and depreciation."
- JC-1-44 Please provide a detailed breakdown of the Authority's borrowing costs for funds used for construction of the Central Artery Tunnels.

- JC-1-45 Please provide the estimated useful life of the conduit in which the Authority has assumed the System would be installed. Also provide the assumed depreciation rate used in the calculation of the 10% cost recovery rate stated on page 5 of the Authority's proposal.

### **System Uses**

- JC-1-46 Please describe in detail the nature and scope of the uses for the installed System. Describe the maximum number of potential carriers or users that can utilize the System for each of these uses and indicate the total capacity in the System that is available for each of these uses.
- JC-1-47 How does MTA propose to allocate channels and band-width between and among wireless providers using the System?
- JC-1-48 Does the MTA propose to allow any use of the System by public safety agencies or entities (such as police, fire, ambulance, emergency preparedness, etc.)? If so, describe each such proposal, state the costs associated with allowing such use, and identify each such agency or entity.
- JC-1-49 Does the MTA propose to make any use of the System itself? If so, describe each such anticipated type of use, and state the costs associated with such use.

### **Traffic Counts**

- JC-1-50 Please provide the average daily traffic count ("ADT") for the Central Artery Tunnels for each location and on each date on which ADT was measured from the opening of the Central Artery Tunnels to date.
- JC-1-51 Please provide the documents setting forth summary traffic data documenting the above ADT. (The Intervenor do not at this time request the raw data from the original counts or other backup to the ADT compilations).

### **Other**

- JC-1-52 What, if any, costs of the System are associated with filtering or other interference-related concerns? Please document those costs and identify each person who has evaluated such costs
- JC-1-53 Describe any re-design, re-evaluation or re-calibration of the System to account for any changes in wireless providers' needs from the January 1, 2003 to the present. Provide the documents in which such re-design, re-evaluation or re-calibration occurred and identify each person involved therewith.

By their attorneys,

<p><b><u>For Cingular</u></b></p> <hr/> <p>Stephen D. Anderson (BBO #018700)          Douglas H. Wilkins (BBO #528000)          ANDERSON &amp; KREIGER LLP          43 Thorndike Street          Cambridge MA 02141          (617) 252-6575          Fax (617) 252-0840  <a href="mailto:sanderson@andersonkreiger.com">sanderson@andersonkreiger.com</a>  <a href="mailto:dwilkins@andersonkreiger.com">dwilkins@andersonkreiger.com</a></p>	<p><b><u>For Sprint-Nextel</u></b></p> <hr/> <p>Garnet Goins, Esq.          Sprint Nextel Corporation          2001 Edmund Halley Drive          Reston, Virginia 20191          703.433.4248  <a href="mailto:garnet.goins@sprint.com">garnet.goins@sprint.com</a></p>
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**CERTIFICATE OF SERVICE**

I hereby certify that I have served of a copy of the First Set of Information Requests to the Massachusetts Turnpike Authority from the Joint Carriers, on all parties of record both electronically and by mailing a copy, first class mail, postage prepaid this 19th day of September 2006.



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